

INTERNET  
FD-707 (NLRB-501)  
(2-08)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

FORM EXEMPT UNDER 44 U.S.C. 3012

DO NOT WRITE IN THIS SPACE

Case

Date Filed

15-CA-162288

10-20-15

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Century Management LLC d/b/a McDonald's and McDonald's USA, LLC as joint or single employer

b. Tel. No. McD. 917-767-9330

c. Cell No.

f. Fax No.

g. e-Mail

d. Address (Street, city, state, and ZIP code)

McDonald's - 5645 Murray Rd., Memphis TN 38119

e. Employer Representative

Century - (b) (6), (b) (7)(C)

McDonald's USA, LLC - 1 McDon. Plaza, Oak Brook, IL 60523, tel # (630) 623-3000

McDonald's USA, LLC Gloria Santona

h. Number of workers employed  
1000i. Type of Establishment (factory, mine, wholesaler, etc.)  
Restaurantj. Identify principal product or service  
Fast Food

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (2) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

SEE ATTACHMENT TO CHARGE AGAINST EMPLOYER

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Memphis Worker's Organizing Committee, a project of the Mid-South Organizing Committee

4a. Address (Street and number, city, state, and ZIP code)

1000 Cooper Street  
Memphis, TN 38104

4b. Tel. No. (b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

## 6. DECLARATION

I declare (b) (6), (b) (7)(C) statements are true to the best of my knowledge and belief.

By  
(Signature)

(b) (6), (b) (7)(C)

(Print/type name and title or office, if any)

Tel. No.

Office, if any, Cell No.

Fax No.

e-Mail

Address 1000 Cooper Street Memphis, TN 38104

9/29/15

(date)

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## Attachment to Charge Against Employer

## Memphis Workers Organizing Committee

## Basis of the charge:

1. On or about (b) (6), (b) (7)(C) 2015, the Employer terminated employee (b) (6), (b) (7)(C) in retaliation for engaging in protected concerted activities in violation of 8(a)(1).
2. In about May 2015, the Employer threatened employees with discipline if they engaged in union and/or protected concerted activities.

**From:** [Mohns, Linda](#)  
**To:** (b) (6), (b) (7)(C)"  
**Cc:** (b) (6), (b) (7)(C) (Fight for 15); Samuel Morris  
**Subject:** RE: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording  
**Date:** Tuesday, October 20, 2015 10:53:00 AM

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Thank you (b) (6), (b) (7)(C)

I understand the difficulties and the unpredictable schedules. I will need to have completed affidavits from (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) by Friday, October 30, 2015. As you know, I can be available in the evenings if necessary. I just need some advance notice if that is required.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: (901) 544-0027  
fax: (901) 544-0008

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]  
**Sent:** Tuesday, October 20, 2015 9:48 AM  
**To:** Mohns, Linda  
**Cc:** (b) (6), (b) (7)(C) (Fight for 15); Samuel Morris  
**Subject:** RE: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

Linda,

Fast food workers schedules are highly unpredictable and (b) (6), (b) (7)(C) is no exception (unfortunately).

I apologize that (b) (6), (b) (7)(C) failed to communicate with you. I will do my best to follow-up with (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

On Oct 20, 2015 9:20 AM, "Mohns, Linda" <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) had informed me that (b) (6), (b) (7)(C) had today off and your e-mail just now is the first I have heard otherwise. I just left (b) (6), (b) (7)(C) a voicemail message on (b) (6), (b) (7)(C) committee cell phone asking that (b) (6), (b) (7)(C) call me as soon as (b) (6), (b) (7)(C) knows (b) (6), (b) (7)(C) schedule for next week so that we can set up a time to meet. I would appreciate it if you would assist in getting (b) (6), (b) (7)(C) rescheduled with me for next week.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: (901) 544-0027  
fax: (901) 544-0008

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Tuesday, October 20, 2015 8:51 AM

**To:** Mohns, Linda

**Cc:** (b) (6), (b) (7)(C) (Fight for 15); Samuel Morris

**Subject:** RE: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

Thank You. I spoke with (b) (6), (b) (7)(C) last night to also confirm (b) (6), (b) (7)(C) appointment but (b) (6), (b) (7)(C) communicated that (b) (6), (b) (7)(C) has work this morning and will not be able to come in.

Thanks you a m

On Oct 20, 2015 8:20 AM, "Mohns, Linda" <[Linda.Mohns@nlr.gov](mailto:Linda.Mohns@nlr.gov)> wrote:

9:00 am this morning.

**Linda Mohns**

Field Attorney, NLRB Subregion 26

80 Monroe Avenue, Ste. 350

Memphis, TN 38103

phone: [\(901\) 544-0027](tel:9015440027)

fax: [\(901\) 544-0008](tel:9015440008)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Monday, October 19, 2015 9:33 PM

**To:** Mohns, Linda

**Cc:** Samuel Morris; (b) (6), (b) (7)(C)

**Subject:** Re: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

Linda,

Did the link work? Here it is again: (b) (6), (b) (7)(C)

Also can you confirm what time you are meeting with (b) (6), (b) (7)(C)

best,

(b) (6)

On Mon, Oct 19, 2015 at 3:13 PM, (b) (6), (b) (7)(C) >  
wrote:

Linda,

We will do our best. Our Digital Director found this article that references (b) (6), (b) (7)(C) pay. It's a Washington Post

article: [h](#) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

On Mon, Oct 19, 2015 at 2:57 PM, Mohns, Linda <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

(b) (6), (b) (7)(C)

I am not available to meet with (b) (6), (b) (7)(C) until next week. As of right now, any time next week would be fine.

Please see that (b) (6), (b) (7)(C) has reviewed the May 11 recording you provided in advance of my meeting with (b) (6), (b) (7)(C) tomorrow morning.

Thanks,

**Linda Mohns**

Field Attorney, NLRB Subregion 26

80 Monroe Avenue, Ste. 350

Memphis, TN 38103

phone: [\(901\) 544-0027](tel:9015440027)

fax: [\(901\) 544-0008](tel:9015440008)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Monday, October 19, 2015 2:54 PM

**To:** Mohns, Linda

**Cc:** Samuel Morris; (b) (6), (b) (7)(C)

**Subject:** Re: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

Good Afternoon Linda,

(b) (6), (b) (7)(C) has searched for a second recording, but is unable to find/produce it. Same of the business card, but (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) did recount that for the May 11 recording (time: undetermined), (b) (6), (b) (7)(C) spoke to (b) (6), (b) (7)(C) who I believe is the (b) (6), (b) (7)(C) of the company. (b) (6), (b) (7)(C) recounted it took place in the lobby.

If I understand correctly, you need to meet with (b) (6), (b) (7)(C) to obtain an affidavit to substantiate claims and missing information? What days are best for (b) (6), (b) (7)(C) to come in?

Lastly, I've put in a request to our (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) to see if they can search our archived media files for the (b) (6), (b) (7)(C) references in (b) (6), (b) (7)(C) statement.

best,

(b) (6)

On Fri, Oct 16, 2015 at 11:39 AM, Mohns, Linda <[Linda.Mohns@nrlrb.gov](mailto:Linda.Mohns@nrlrb.gov)> wrote:

Sam, (b) (6), (b) (7)(C),

I met with (b) (6), (b) (7)(C) yesterday evening and (b) (6), (b) (7)(C) insists that (b) (6), (b) (7)(C) made two audio recordings around May and June 2015, using an i-phone that was provided to (b) (6), (b) (7)(C) by (b) (6), (b) (7)(C). On each occasion when (b) (6), (b) (7)(C) was informed that (b) (6), (b) (7)(C) would be meeting with a (b) (6), (b) (7)(C) later that day, (b) (6), (b) (7)(C) notified (b) (6), (b) (7)(C) who came to (b) (6), (b) (7)(C) work location and provided (b) (6), (b) (7)(C) with the phone (b) (6), (b) (7)(C) used to record the meeting. (b) (6), (b) (7)(C) then returned the phone to (b) (6), (b) (7)(C) once the meeting was over. (b) (6), (b) (7)(C) also asserts that the business card of (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) met with on May 11 was also given to (b) (6), (b) (7)(C) at the time (b) (6), (b) (7)(C) returned the phone to (b) (6), (b) (7)(C).

**In light of this information, I need the Charging Party to determine and confirm whether a second recording exists and to provide me with a copy of that recording ASAP.** If it is determined that no additional recordings can be located, I will need to meet with (b) (6), (b) (7)(C) to obtain an affidavit relating to the chain of custody of the i-phone, the recording and the business card.

(b) (6), (b) (7)(C) is scheduled to meet with me again on Tuesday morning (October 20) to complete the affidavit interview. I request that the Charging Party provide (b) (6), (b) (7)(C) with a copy of the May 11 recording that was provided to me on October 5, so that (b) (6), (b) (7)(C) can listen to that recording prior to (b) (6), (b) (7)(C) meeting with me on Tuesday. I also request that (b) (6), (b) (7)(C) be given copies of any additional recordings that are located or other materials, such as the manager's business card.

Finally, (b) (6), (b) (7)(C) asserts that these meetings with (b) (6), (b) (7)(C) were prompted by press accounts (including a (b) (6), (b) (7)(C) article) in which (b) (6), (b) (7)(C) asserted that (b) (6), (b) (7)(C) had not been paid for all hours worked. I have looked through our case files and also conducted an internet search and I cannot locate press accounts or a (b) (6), (b) (7)(C) in which (b) (6), (b) (7)(C) references off-the-clock work. Kindly provide me with those articles if the Charging Party has copies of them.

Your assistance in these investigations is greatly appreciated.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:9015440027)  
fax: [\(901\) 544-0008](tel:9015440008)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Friday, October 09, 2015 3:03 PM

**To:** Mohns, Linda

**Cc:** Samuel Morris

**Subject:** Re: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

Hi Linda,

I am attempting to gather the information you require in this case. I am not aware of a second recording, but I was also not with the Campaign at the time of this incident. I'm working with one of the organizers and (b) (6), (b) (7)(C) to figure it all out. I will be in touch with greater detail as soon as possible. What I can share now is that the recording happened May 11, 2014. (b) (6), (b) (7)(C) does not have the business card.

best,

(b)

On Mon, Oct 5, 2015 at 5:40 PM, Mohns, Linda <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

Sam and (b) (6), (b) (7)(C)

I need the charging party to ascertain whether there are any additional recordings, and if there are to provide them ASAP.

(b) (6), (b) (7)(C) stated that there were three separate meetings and that (b) (6), (b) (7)(C) recorded two of the meetings.

In connection with this recording please obtain the following information from

(b) (6), (b) (7)(C)

1. What was the date and time of day when this recorded meeting took place?
2. Who is (b) (6), (b) (7)(C) speaking to in the meeting (b) (6), (b) (7)(C) states (b) (6) is giving (b) (6), (b) (7)(C) business card, does (b) (6), (b) (7)(C) still have it)?
3. Where did this meeting take place (break room, dining area or some other location)?

If you find that there are additional recordings, please provide the answers to the three questions above in connection with those recordings when you provide them.

Thank you!

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:9015440027)

fax: [\(901\) 544-0008](tel:(901)544-0008)

**From:** (b) (6), (b) (7)(C) [mailto: (b) (6), (b) (7)(C)]

**Sent:** Monday, October 05, 2015 4:43 PM

**To:** Mohns, Linda

**Cc:** Samuel Morris

**Subject:** Fwd: Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

Dear Linda,

You can find the recording that (b) (6), (b) (7)(C) spoke about in (b) (6), (b) (7)(C) affidavit attached. I'm not sure if there are more recordings, but this is the one that I was able to retrieve.

Please let me know if you have trouble opening it.

best,

(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

----- Forwarded message -----

**From:** (b) (6), (b) (7)(C)

**Date:** Mon, Oct 5, 2015 at 3:46 PM

**Subject:** Mcdonalds 5/11 (b) (6), (b) (7)(C) recording

**To:** (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) >

--

(b) (6), (b) (7)(C)

--

(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)



[showme15.org](http://showme15.org)

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(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

--

(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

--

(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

--

(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

Agent: [AGENT NAME AND TITLE]

## CASEHANDLING LOG

[illegible]



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 26  
80 Monroe Ave Ste 350  
Memphis, TN 38103-2400

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (901)544-0018  
Fax: (901)544-0008



Download  
NLRB  
Mobile App

October 20, 2015

**(b) (6), (b) (7)(C)**

Century Management Llc D/B/A Mcdonald's  
5645 Murray Rd  
Memphis, TN 38119-3881

Gloria Santona, Executive Vice President  
& General Counsel, and Secretary  
McDonald's USA, LLC  
One McDonald's Place  
Oak Brook, IL 60523

Re: Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

Dear **(b) (6), (b) (7)(C)** and Ms. Santona:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney LINDA M. MOHNS whose telephone number is (901)544-0027. If this Board agent is not available, you may contact Officer in Charge CHRISTOPHER ROY whose telephone number is (901)544-0056.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts

and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Procedures:** We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

- 3 -

October 20, 2015

Very truly yours,

M. KATHLEEN MCKINNEY  
Regional Director

A handwritten signature in black ink, appearing to read 'Christopher Roy', with a large, stylized loop at the end.

By:

CHRISTOPHER ROY  
Officer in Charge

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

**CASE NAME**

Century Management LLC d/b/a McDonald's and McDonald's USA, LLC as joint or single employer

**CASE NUMBER**

15-CA-162288

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**

A. STATE OF INCORPORATION OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

	YES	NO
A. Did you <b>provide services</b> valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$		
B. If you answered no to 9A, did you <b>provide services</b> valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$		
C. If you answered no to 9A and 9B, did you <b>provide services</b> valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$		
D. Did you <b>sell goods</b> valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$		
E. If you answered no to 9D, did you <b>sell goods</b> valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$		
F. Did you <b>purchase and receive goods</b> valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$		
G. Did you <b>purchase and receive goods</b> valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$		
H. <b>Gross Revenues</b> from all sales or performance of services (Check the largest amount) <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.		
I. Did you <b>begin operations within the last 12 months?</b> If yes, specify date: _____		

**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**CENTURY MANAGEMENT LLC D/B/A  
MCDONALD'S AND MCDONALD'S USA, LLC  
AS JOINT OR SINGLE EMPLOYER**

Charged Party

and

**MEMPHIS WORKERS ORGANIZING  
COMMITTEE, A PROJECT OF MID-SOUTH  
ORGANIZING COMMITTEE**

Charging Party

**Case 15-CA-162288**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on October 20, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

**(b) (6), (b) (7)(C)**  
CENTURY MANAGEMENT LLC d/b/a  
MCDONALD'S  
5645 Murray Rd  
Memphis, TN 38119-3881

Gloria Santona, Executive Vice President &  
General Counsel, and Secretary  
McDonald's USA, LLC  
One McDonald's Place  
Oak Brook, IL 60523

October 20, 2015

Date

**Jeri Termon**, Designated Agent of NLRB

Name

/s/

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 26  
80 Monroe Ave Ste 350  
Memphis, TN 38103-2400

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (901)544-0018  
Fax: (901)544-0008



Download  
NLRB  
Mobile App

October 20, 2015

(b) (6), (b) (7)(C)

Memphis Workers Organizing Committee,  
a project of Mid-South Organizing Committee  
1000 Cooper Street  
Memphis, TN 38104

Re: Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on October 20, 2015 has been docketed as case number 15-CA-162288. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney LINDA M. MOHNS whose telephone number is (901)544-0027. If this Board agent is not available, you may contact Officer in Charge CHRISTOPHER ROY whose telephone number is (901)544-0056.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you



fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Procedures:** We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website [www.nlr.gov](http://www.nlr.gov). However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website [www.nlr.gov](http://www.nlr.gov) or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

M. KATHLEEN MCKINNEY  
Regional Director

A handwritten signature in black ink, appearing to read 'Christopher Roy', with a large, stylized loop at the end.

By:

CHRISTOPHER ROY  
Officer in Charge

**From:** [Roy, Christopher](#)  
**To:** [Dunham, Geoffrey](#)  
**Subject:** New McDonald's Charge  
**Date:** Wednesday, October 21, 2015 9:18:00 AM

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Geoffrey:

Good morning. I'm writing to let you know that a new McDonald's charge was filed and docketed in the Memphis office yesterday. The NxGen link to the charge is below.

(b) (7)(E)

Regards,

Chris Roy, OIC  
NLRB, Memphis  
(901) 544-0056

**From:** [Mohns, Linda](#)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: new Century charge, 15-CA-162288  
**Date:** Thursday, October 29, 2015 5:53:00 PM

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I have had a new meeting added to my schedule at 2:00 pm tomorrow, so I am no longer available to meet with (b) (6), (b) (7)(C) tomorrow afternoon.

I guess at this rate we are looking at next week. It is critical that (b) (6), (b) (7)(C) appear next week for an affidavit interview. I am available Monday through Thursday – I am out of the office next Friday.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: (901) 544-0027  
fax: (901) 544-0008

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**From:** Mohns, Linda  
**Sent:** Thursday, October 29, 2015 10:03 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: new Century charge, 15-CA-162288

(b) (6), (b) (7)(C)

My availability at 4:00 pm was for today, not tomorrow. As you know, I expect to be meeting with (b) (6), (b) (7)(C) tomorrow morning at 10:00 am. If (b) (6), (b) (7)(C) can make it tomorrow at 1:00 or 2:00 pm that would be fine. We will need to start our meeting no later than 2:00 pm as I need to leave the office tomorrow at 4:30 pm.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: (901) 544-0027  
fax: (901) 544-0008

**From:** (b) (6), (b) (7)(C) [[\(b\) \(6\), \(b\) \(7\)\(C\)](mailto:(b) (6), (b) (7)(C))]  
**Sent:** Thursday, October 29, 2015 9:28 AM  
**To:** Mohns, Linda  
**Subject:** Re: new Century charge, 15-CA-162288

Hi Linda,

Unfortunate news: (b) (6), (b) (7)(C) contacted me this morning because (b) (6), (b) (7)(C) was called into work and will not be able to make (b) (6), (b) (7)(C) appointment. (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) is off tomorrow and I will try to double confirm (b) (6), (b) (7)(C) availability. If (b) (6), (b) (7)(C) is able to come in would you like (b) (6), (b) (7)(C) to come at 4pm since you have a meeting at 3pm?

(b) (6), (b) (7)(C)

On Wed, Oct 28, 2015 at 9:15 AM, Mohns, Linda <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

I will see you then. Please see that (b) (6), (b) (7)(C) brings all relevant documents with (b) (6), (b) (7)(C) for our meeting tomorrow. Thank you!

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:(901)544-0027)  
fax: [\(901\) 544-0008](tel:(901)544-0008)

**From:** (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

**Sent:** Wednesday, October 28, 2015 11:05 AM

**To:** Mohns, Linda

**Subject:** RE: new Century charge, 15-CA-162288

Linda, (b) (6), (b) (7)(C) can come in at 10 a.m tomorrow. We will see you then!

On Oct 28, 2015 10:33 AM, "Mohns, Linda" <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

The morning is better for me (before Noon). Otherwise, I have a meeting at 3:00 pm and I cannot say how long that will last. If (b) (6), (b) (7)(C) wants to come in at 4:00 pm that would be okay too.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:(901)544-0027)  
fax: [\(901\) 544-0008](tel:(901)544-0008)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Wednesday, October 28, 2015 10:21 AM

**To:** Mohns, Linda

**Subject:** Re: new Century charge, 15-CA-162288

(b) (6), (b) (7)(C) let me know (b) (6), (b) (7)(C) is free tomorrow but has not communicated further about what time (b) (6), (b) (7)(C) can come in. I'm awaiting (b) (6), (b) (7)(C) response. What's the best time you? Perhaps I can encourage (b) (6), (b) (7)(C) to come at that time.

(b) (6)

On Wed, Oct 28, 2015 at 6:10 AM, Mohns, Linda <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

(b) (6), (b) (7)(C),

I was hoping to hear from you before now about scheduling an affidavit interview (b) (6), (b) (7)(C) in this newly filed charge. The charging party is expected to present its witnesses and evidence promptly in this case, as it is considered a high-priority investigation.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:(901)544-0027)  
fax: [\(901\) 544-0008](tel:(901)544-0008)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Wednesday, October 21, 2015 12:34 PM

**To:** Mohns, Linda

**Subject:** Re: new Century charge, 15-CA-162288

We would like to proceed. (b) (6), (b) (7)(C) is checking (b) (6), (b) (7)(C) schedule and will let me know (b) (6), (b) (7)(C) availability!

best,

(b) (6), (b) (7)(C)

On Wed, Oct 21, 2015 at 11:12 AM, Mohns, Linda <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

It would not, unless you all decide there is no need to follow through with the NLRB charge.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:(901)544-0027)  
fax: [\(901\) 544-0008](tel:(901)544-0008)

**From:** (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)]

**Sent:** Wednesday, October 21, 2015 10:29 AM

**To:** Mohns, Linda

**Subject:** Re: new Century charge, 15-CA-162288

Hi Linda,

Great, thanks! I'll touch base with (b) (6), (b) (7)(C) today. When (b) (6), (b) (7)(C) spoke yesterday (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) (b) (6), (b) (7)(C). I'm not familiar with (b) (6), (b) (7)(C) so I'm not sure if this affects (b) (6), (b) (7)(C) case with the NLRB. please let me know.

(b) (6),

(b) (6), (b) (7)(C),

The new charge that was filed yesterday has been assigned to me for investigation. Would you please see when (b) (6), (b) (7)(C) can come in next week to provide an affidavit in this investigation. Please see that (b) (6), (b) (7)(C) brings (or I get) any relevant documents that relate to (b) (6), (b) (7)(C) situation. Right now I am pretty open for next week. Thanks so much!

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:9015440027)  
fax: [\(901\) 544-0008](tel:9015440008)

--

(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

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(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

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(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)

**From:** [Mohns, Linda](#)  
**To:** [Roy, Christopher](#)  
**Subject:** Century Management, 15-CA-162288  
**Date:** Wednesday, November 4, 2015 9:22:00 AM  
**Attachments:** [Re Century Management 15-CA-162288.msg](#)  
[FIR.15-CA-162288.rec to approve withdrawal request 11-4-2015.docx](#)

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Chris,

Attached is my recommendation to approve the Charging Party's request to withdraw this charge based on its inability to obtain the cooperation of alleged discriminatee (b) (6), (b) (7)(C). I have also attached the e-mail containing the Charging Party's withdrawal request. Please let me know if you need anything further on this.

***Linda Mohns***

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: (901) 544-0027  
fax: (901) 544-0008

**From:** (b) (6), (b) (7)(C)  
**To:** [Mohns, Linda](#)  
**Subject:** Re: Century Management, 15-CA-162288  
**Date:** Tuesday, November 3, 2015 2:19:30 PM

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Dear Linda,

We would like to withdraw this charge for re-filing another time (within the statute of limitations period). We are not able to make contact with (b) (6), (b) (7)(C) this week to get (b) (6), (b) (7)(C) in by Nov 4th and will require some additional time to make contact.

On Mon, Nov 2, 2015 at 9:35 AM, Mohns, Linda <[Linda.Mohns@nlrb.gov](mailto:Linda.Mohns@nlrb.gov)> wrote:

(b) (6), (b) (7)(C),

I have discussed this case with our Officer in Charge, Christopher Roy. Mr. Roy has instructed me to inform you that the alleged discriminatee, (b) (6), (b) (7)(C), will need to appear at my office for an affidavit interview **no later than this Wednesday, November 4**, or the Region will consider dismissing this charge for lack of cooperation.

Of course, the Charging Party may prefer to withdraw this charge and refile it within the 6-month limitations period (which would be sometime this month for the alleged threat in May 2015) when you are ready to promptly present your witnesses and evidence.

I look forward to hearing from you as to how you wish to proceed in this matter. Thank you.

*Linda Mohns*

Field Attorney, NLRB Subregion 26  
80 Monroe Avenue, Ste. 350  
Memphis, TN 38103  
phone: [\(901\) 544-0027](tel:(901)544-0027)  
fax: [\(901\) 544-0008](tel:(901)544-0008)

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(b) (6), (b) (7)(C)

Mid-South Organizing Committee  
Show Me \$15 Campaign (viz. Memphis \$15)  
[showme15.org](http://showme15.org)





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 26  
80 Monroe Ave Ste 350  
Memphis, TN 38103-2400

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (901)544-0018  
Fax: (901)544-0008

November 5, 2015

(b) (6), (b) (7)(C)  
CENTURY MANAGEMENT LLC d/b/a MCDONALD'S  
5645 Murray Rd  
Memphis, TN 38119-3881

Gloria Santona  
Rice Enterprises, LLC, d/b/a McDonald's USA, and McDonald's USA, as a joint or single  
employer  
One McDonald's Plaza  
Oak Brook, IL 60523

Re: Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

Dear (b) (6), (b) (7)(C), Ms. Santona:

This is to advise you that I have approved the withdrawal of the charge in the above  
matter.

Very truly yours,

M. KATHLEEN MCKINNEY  
Regional Director

By:

CHRISTOPHER ROY  
Officer in Charge

cc: (b) (6), (b) (7)(C)  
Memphis Workers Organizing  
Committee, a project of Mid-South  
Organizing Committee  
1000 Cooper Street  
Memphis, TN 38104

Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

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November 5, 2015



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 26  
80 Monroe Ave Ste 350  
Memphis, TN 38103-2400

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Telephone: (901)544-0018  
Fax: (901)544-0008

November 5, 2015

**(b) (6), (b) (7)(C)**

Century Management LLC d/b/a McDonald's  
5645 Murray Rd  
Memphis, Tn 38119-3881

Doreen S. Davis, Esq.  
Jones Day  
222 East 41st Street  
New York, Ny 10017-6727

Michael S. Ferrell, Esq.  
Jones Day  
77 West Wacker Drive  
Suite 3500  
Chicago, Il 60601-1701

Delilah Clay, Esq.  
Jones Day  
77 W Wacker Dr Ste 3500  
Chicago, IL 60601-1701

Re: Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

Dear Sirs and Mesdames:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Century Management LLC d/b/a  
McDonald's and McDonald's USA, LLC as  
joint or single employer  
Case 15-CA-162288

- 2 -

November 5, 2015

Very truly yours,

M. KATHLEEN MCKINNEY  
Regional Director

By:

CHRISTOPHER ROY  
Officer in Charge

cc: (b) (6), (b) (7)(C)  
Memphis Workers Organizing  
Committee, a project of Mid-South  
Organizing Committee  
1000 Cooper Street  
Memphis, TN 38104

Gloria Santona  
Rice Enterprises, LLC, d/b/a McDonald's  
USA, and McDonald's USA, as a joint or  
single employer  
One McDonald's Plaza  
Oak Brook, IL 60523